H.B. No. 2107

2 relating to information provided by a local health jurisdiction on 3 food regulation. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 4 5 SECTION 1. The heading to Subchapter H, Chapter 438, Health and Safety Code, is amended to read as follows: 6 7 SUBCHAPTER H. INFORMATION ON DEPARTMENT OR LOCAL HEALTH JURISDICTION FOOD REGULATION 8 9 SECTION 2. Subchapter H, Chapter 438, Health and Safety Code, is amended by adding Section 438.151 to read as follows: 10 11 Sec. 438.151. DEFINITION. In this subchapter, "local 12 health jurisdiction" means a public health district, county, or municipality that regulates food service establishments, retail 13 14 food stores, mobile food units, temporary food service establishments, or roadside food vendors. 15 SECTION 3. Section 438.152, Health and Safety Code, 16 amended to read as follows: 17 Sec. 438.152. REQUEST FOR INFORMATION. Unless otherwise 18 prohibited by state or federal law, on receipt of a written request 19 20 for information pertaining to the regulation of food under this 21 subtitle, the department or a local health jurisdiction shall provide a reasonable and substantial response to the request not 22 23 later than the 30th day after the date the department or local health jurisdiction receives the request. 24

AN ACT

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H.B. No. 2107

- 1 SECTION 4. Section 438.153, Health and Safety Code, is
- 2 amended to read as follows:
- 3 Sec. 438.153. REQUEST FOR OFFICIAL DETERMINATION. (a) On
- 4 receipt of a written request regarding the applicability to a
- 5 specific circumstance of a regulation or the requirements for
- 6 compliance with the regulation, the department or local health
- 7 jurisdiction shall provide an official written determination
- 8 regarding the applicability of the regulation or the requirements
- 9 for compliance with the regulation to the requestor not later than
- 10 the 30th day after the date the department or local health
- 11 jurisdiction receives the request.
- 12 (b) An official determination made under this section is
- 13 valid until the regulation that is the subject of the determination
- 14 is amended by statute, [ex] department rule, or local health
- 15 jurisdiction regulation.
- SECTION 5. The changes in law made by this Act apply only to
- 17 a request for information or official determination made under
- 18 Subchapter H, Chapter 438, Health and Safety Code, as amended by
- 19 this Act, to a local health jurisdiction on or after January 1,
- 20 2020. A request for information or official determination made to a
- 21 local health jurisdiction before January 1, 2020, is governed by
- 22 the law in effect immediately before the effective date of this Act,
- 23 and that law is continued in effect for that purpose.
- SECTION 6. This Act takes effect September 1, 2019.

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President of the Senate	Speaker of the House			
I certify that H.B. No. 210	7 was passed by the House on April			
12, 2019, by the following vote:	Yeas 143, Nays 0, 2 present, not			
voting.				
	Chief Clerk of the House			
I certify that H.B. No. 2107 was passed by the Senate on May				
15, 2019, by the following vote: Yeas 31, Nays 0.				
	Secretary of the Senate			
APPROVED:				
Date				
Governor				